

Remarks

This Application has been carefully reviewed in light of the Final Office Action mailed April 28, 2004, and the Advisory Action mailed July 23, 2004. Although Applicants believe all pending claims, as originally submitted, are allowable over the references cited by the Examiner, Applicants have amended the claims to expedite issuance. Accordingly, Applicants respectfully request reconsideration and favorable action in this case.

Rejections

In the Final Office Action mailed April 28, 2004, the Examiner rejected Claims 16–17, 42–43, 58–59, 64–65, 67–68, and 70–71 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,760,572 (*Tomikawa*); rejected Claims 11, 24, 26, 37, and 69 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,593,282 (*Acampora*) in view of *Tomikawa*; rejected Claims 12, 14, 18, 20, 38, 40, 44, 54, 56, 60, and 62 under 35 U.S.C. § 103(a) as being unpatentable over *Acampora* and *Tomikawa*, further in view of U.S. Patent No. 6,553,000 B1 (*Ganesh*); and rejected Claims 15, 21, 41, 57, and 63 under 35 U.S.C. § 103(a) as being unpatentable over *Acampora* and *Tomikawa* in view of U.S. Patent No. 5,822,523 (*Rothschild*).

In support of these rejections, the Examiner contended that *Tomikawa* discloses destination codes as claimed in this Application. (Office Action dated April 28, 2004 at 2, 4–5). *Tomikawa* describes a multicast communication method that involves sending a prior notice to all stations. In the frame for transmitting the prior notice, the S field is “1” and the DS field is all “0” as shown in Figure 9A. (Col. 10, ll. 25–29). The information field I includes a “text identifier” (which will be used to identify the impending limited multicast message), and “the remaining field thereof is used for designating addresses of a plurality of destination addresses of destination stations for receiving the notice.” (Col. 10, ll. 30–36). As indicated in Figure 9A, this field is a string of station addresses. In the example described in *Tomikawa*, the stations addresses 3a, 3b, and 3d of stations 3a, 3b, and 3d are written in information field I. (Col. 10, ll. 50–52). All the stations (other than the one sending the notice) receive the notice message and check whether their intra-addresses are written in the station address string following the text identifier of information field I. (Col. 10, ll. 56–59; S46 of Figure 11). Those stations that find their addresses included in the address string determine that the frame is prior notice of a multicast communication destined for themselves, and they hold the text identifier and transmit an acknowledgement response.

(Col. 11., ll. 3–16; S48 and S50 in Figure 11). Those stations that do not detect their addresses in the address string determine the frame is not a prior notice for a multicast communication destined for themselves, and they release the message. (Col. 11, ll. 16–24). The sender can then use the frame shown in Figure 9B with the previously noticed text identifier to send a limited multicast message to the destination stations, and the destination stations receive the messages by detecting the previously noticed text identifier as shown in Figure 8B. (Col. 11, ll. 25–44).

Contrary to the Examiner’s characterization, *Tomikawa* does not disclose, teach, or suggest a “destination code having values for a plurality of positions, each position corresponding to a particular receiver,” as recited in independent Claims 11, 26, 37, 67, 68, 69, 70, and 71 as originally submitted. Furthermore, *Tomikawa* certainly does not disclose, teach, or suggest a “destination code having values for a plurality of positions, each position corresponding to a particular receiver independent of the value for that position,” as recited in these claims as amended. Although the Examiner identifies the information field in *Tomikawa* as the destination code, the Examiner’s identification ignores the distinction between the claim terms “positions” and “values.” The information field of *Tomikawa* does not include “values for a plurality of positions, each position corresponding to a particular receiver independent of the value for that position.” While the station addresses found in the information field correspond to particular destination stations, it is the particular values of the station addresses—not the positions of the station addresses in the information field—that correspond to the particular stations. Because the positions do not correspond to particular receivers in *Tomikawa*, the positions of the station addresses in the information field can be changed without having any effect on the communication.

In the Final Office Action, the Examiner incorrectly contended that “the features upon which applicant relies (i.e., the bit positions corresponding to a particular receiver) are not recited in the rejected claims.” (Office Action dated April 18, 2004 at 7). Contrary to the Examiner’s contention, independent Claims 11, 26, 37, 67, 68, 69, 70, and 71 as originally submitted recite “destination code having values for a plurality of positions, each position corresponding to a particular receiver.” (emphasis added). These claims as amended recite a “destination code having values for a plurality of positions, each position corresponding to a particular receiver independent of the value for that position.” Whether the claimed positions are referred to as “bit” positions is inconsequential.

In the Advisory Action, the Examiner stated:

Applicant[s'] assertion that the particular values of the station addresses and not the position[s] of the station addresses correspond to a particular receiver is traverse in that the values of the station addresses do have a position within the string of address[es] that correspond to a particular receiver. The string of address[es] has a plurality of positions where the values of the station addresses could be placed and these positions identified a particular receiver.

While the addresses do have positions within the string of addresses, it is the values of the addresses—not the positions of the addresses—that correspond to particular receivers. Each position does not correspond to a particular receiver independent of the value for that position, as required by the independent claims.

For at least this reason, none of the references cited by the Examiner discloses, teaches, or suggests the “destination code having values for a plurality of positions, each position corresponding to a particular receiver,” as recited in independent Claims 11, 26, 37, 67, 68, 69, 70, and 71 as originally submitted. Furthermore, the references cited by the Examiner certainly do not disclose, teach, or suggest the “destination code having values for a plurality of positions, each position corresponding to a particular receiver independent of the value for that position,” as recited in these claims as amended. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claims 11, 26, 37, 67, 68, 69, 70, and 71, as well as all claims that depend from these independent claims.

Conclusion

Applicants have made an earnest attempt to place this Application in condition for allowance. For at least the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Jeffery D. Baxter, Attorney for Applicants, at the Examiner's convenience at (214) 953-6791.

Applicants have attached a check for \$770.00 to cover the cost of filing this Request for Continued Examination (RCE). Although Applicants believe that no other fees are due, Applicants authorize the Commissioner to charge any additional fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
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